

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

|                       |   |                            |
|-----------------------|---|----------------------------|
| BRANDON LESTER,       | ) |                            |
|                       | ) |                            |
| Plaintiff,            | ) |                            |
|                       | ) |                            |
| v.                    | ) |                            |
|                       | ) | Case No. 7:15-CV-00665-GEC |
| SMC TRANSPORT, LLC,   | ) |                            |
| ISRAEL MARTINEZ, JR., | ) |                            |
| and                   | ) |                            |
| SALINAS EXPRESS, LLC, | ) |                            |
|                       | ) |                            |
| Defendants.           | ) |                            |
|                       | ) |                            |

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**DEFENDANT ISRAEL MARTINEZ, JR.'S MOTION TO COMPEL**

Defendant Israel Martinez, Jr., by counsel and in accordance with Federal Rule of Civil Procedure 37(a)(3)(B), requests that the Court order the Plaintiff to provide full and complete responses to the portions of the Defendant's pending discovery requesting information related to the Plaintiff's psychiatric, psychological and emotional conditions and treatment before and after the accident underlying the Plaintiff's lawsuit. Defendant's supporting memorandum is filed with and accompanies this motion.

ISRAEL MARTINEZ, JR.

/s/ David W. Hearn  
David W. Hearn (VSB. No. 37347)  
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**Certificate of Service**

I hereby certify that on this 20<sup>th</sup> day of May, 2016, I filed the foregoing Notice of Appearance electronically with the Clerk of Court using the CM/ECF system.

/s/ David W. Hearn

David W. Hearn